

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL NO. 1:04CR74-1

UNITED STATES OF AMERICA)

)

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VS.

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HOKE JUNIOR BENFIELD)

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ORDER

THIS MATTER is before the Court on the Government's motion to reduce Defendant's sentence pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure.

For the reasons stated therein,

IT IS, THEREFORE, ORDERED that the Government's motion is **ALLOWED**, and the Defendant's sentence is hereby reduced from a term of 75 months imprisonment to a term of 60 months imprisonment, with all other terms and conditions of the Judgment of Conviction to remain in full force and effect. The Clerk of Court shall prepare an amended Judgment in accordance with the terms herein.

The Clerk is directed to mail copies of this Order to the United States Attorney, defense counsel, the Defendant, and to the Warden of the federal correctional facility where the Defendant is currently imprisoned.

Signed: January 31, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

